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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LARRY FREUDENBERG, individually and  
on Behalf of All Others Similarly Situated,

Plaintiff(s),

-against-

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN, and ROBERT J.  
SIMMONS,

Defendant(s).

ECF CASE

Civil Action No. 07-8538 (RWS)

CLASS ACTION

(Captions Continued...)

**DECLARATION OF SERVICE**

WILLIAM BOSTON, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff(s),

-against-

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN, and ROBERT J.  
SIMMONS,

Defendant(s).

ECF CASE

Civil Action No. 07-8808 (RWS)

CLASS ACTION

ROBERT D. THULMAN, Individually and  
On Behalf of All Others Similarly Situated,

Plaintiff(s),

- against -

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN, and ROBERT J.  
SIMMONS,

Defendants.

ECF CASE

Civil Action No. 07-9651 (RWS)

CLASS ACTION

Gregory M. Nespole, Esq., an attorney admitted to practice law before the courts of the State of New York, hereby declares that on December 3, 2007, I caused to be served, (i) electronically on all counsel registered for electronic service for this case; and (ii) by first-class mail to all additional counsel, the following documents:

1. Notice of Motion;
2. Declaration of Gregory M. Nespole in Support of First Derivative Traders LP and Robert and Jessica Grant's Motion for Consolidation, Appointment as Lead Plaintiff, and for Approval of Lead Plaintiff's Selection of Lead Counsel, together with Exhibits; and
3. Memorandum of Law in Support of First Derivative Traders LP and Robert and Jessica Grant's Motion for Consolidation, Appointment as Lead Plaintiff, and for Approval of Lead Plaintiffs' Selection of Lead Counsel.

Dated: December 3, 2007

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/s/  
Gregory M. Nespole

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